

Packet No. 88630.213 US4

PATENT/OFFICIAL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Wayne Ernest CONRAD et al.

Serial No. 10/076,141

Filed: February 15, 2002

For: Fluid Contact Chamber

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Group Art Unit 1744

Examiner: CHORBAJI, Monzer R.

**TERMINAL DISCLAIMER PURSUANT TO 37 CFR § 1.321(b)**

Honorable Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

ATI Properties, Inc., having an office at 1600 N.E. Old Salem Road, Albany, Oregon, 97321, represents that it is the Assignee of the entire right, title and interest in and to U.S. Application Serial No. 10/076,141, entitled Fluid Contact Chamber, filed on February 15, 2002, by virtue of an Assignment executed by the inventors on February 1, 2004, February 5, 2004, February 6, 2004 and February 10, 2004. The Assignment has been recorded at Reel 015101, Frame 0188.

Your Petitioner further represents that it is the assignee of the entire right, title and interest in and to United States Patent No. 6,447,733 by virtue of the Assignment executed by the inventors on January 24, 1996, recorded at Reel 7851, Frame 0556 and Change of Name document from TI Properties, Inc. to ATI Properties, Inc. A copy of the Change of Name document is attached hereto.

Your Petitioner hereby disclaims the terminal part of any patent granted on said U.S. Application Serial No. 10/076,141, which would extend beyond the expiration date of any patent which issues from U.S. Patent No. 6,447,733.

Your Petitioner further agrees that any patent issuing on said U.S. Patent Application Serial No. 10/076,141 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any U.S. Patent which issues from U.S. Patent No. 6,447,733, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 10/076,141 and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.


The undersigned has reviewed all the documents in the chain of title of the patent application identified (whose title is supplied below) is empowered to act on behalf of the assignee.

The undersigned Attorney of Record further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge the \$130.00 Disclaimer fee to Deposit Account Number 08-0219.

Respectfully submitted,

WILMER CUTLER PICKERING HALE AND DORR LLP

  
Anthony H. Kahng  
Registration No. 42,704

1455 Pennsylvania Avenue, N.W.

Washington, DC 20004

Tel: 202.942.8400

Fax: 202.942.8484

Date: June 28, 2005

HNW:AHK:cj

# Delaware

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## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "TI PROPERTIES, INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "ATI PROPERTIES, INC.", THE FIRST DAY OF JULY, A.D. 1998, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE NOT HAVING BEEN CANCELLED OR DISSOLVED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 3969862

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DATE: 06-22-05